

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 8 and 14 have been amended. Claims 19-22 have been canceled. No claims have been added. Thus, claims 1-18 are pending.

Claim Rejections – 35 U.S.C. § 101

Claims 14-18 were rejected as being directed to non-statutory subject matter. The definition of “computer-readable medium” in the specification has been amended. Accordingly, Applicants submit that the rejection of claims 14-18 as being directed to non-statutory subject matter has been overcome.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 1, 2, 4, 5, 7-9, 11, 12, 14, 15, 17 and 19-21 were rejected as being unpatentable over U.S. Patent No. 6,983,334 issued to Riedle (*Riedle*) in view of U.S. Patent Publication No. 2005/0177625 of Paek (*Paek*). Claims 19-22 have been canceled. Therefore, the rejection of claims 19-22 is moot. For at least the reasons set forth below, Applicants submit that claims 1, 2, 4, 5, 7-9, 11, 12, 14, 15 and 17 are not rendered obvious by *Riedle* and *Paek*.

Claim 1 recites:

receiving a request from a first client device to multicast a file as a plurality of packets of data from a server device to multiple client devices;
transmitting the plurality of packets of data from a server to the multiple client devices using a multicast trivial file transfer protocol (TFTP); and
applying, by the server, one or more flow control techniques not defined by the multicast TFTP, wherein the flow control comprises at least

determining whether the server device has sufficient resources to satisfy the request based on a block size corresponding to the request and an available bandwidth, and sending an error packet to the first client device if the server does not have sufficient resources to satisfy the request.

Thus, Applicants claim determining if sufficient resources are available to satisfy a TFTP request based on block size and available bandwidth. Claims 8 and 14 similarly recite determining if sufficient resources are available to satisfy a TFTP request based on block size and available bandwidth.

Riedle discloses TFTP multicast. Applicants agree with the Office Action that *Riedle* does not disclose flow control. See Office Action at page 4. *Paek* is cited to disclose flow control not defined by the multicast TFTP. However, *Paek* does not disclose determining if sufficient resources are available to satisfy a TFTP request based on block size and available bandwidth. Therefore, no combination of *Riedle* and *Paek* can teach or suggest the invention as recited in claims 1, 8 and 14.

Claims 2, 4, 5 and 7 depend from claim 1. Claims 9, 11 and 12 depend from claim 8. Claims 15 and 17 depend from claim 14. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 2, 4, 5, 7, 9, 11, 12, 15 and 17 are not rendered obvious by *Riedle* and *Paek* for at least the reasons set forth above.

Claims 3, 6, 10, 13, 16, 18 and 22 were rejected as being unpatentable over *Riedle* and *Paek* in view of U.S. Patent Publication No. 2007/0198737 of Xu (*Xu*). Claim 22 has been canceled. Therefore, the rejection of claim 22 is moot. Claims 3, 6, 10, 13, 16 and 18 depend from independent claims discussed above. *Xu* does not cure the deficiencies

of *Riedle* and *Paek* set forth above. Therefore, no combination of *Riedle*, *Paek* and *Xu* can teach or suggest the invention as recited in claims 3, 6, 10, 13, 16 and 18.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-18 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: April 16, 2009

/Paul A. Mendonsa/
Paul A. Mendonsa
Attorney for Applicant
Reg. No. 42,879

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(503) 439-8778